

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -
CHUCK ANDREWS,

Defendant.

DOC
ELECTRONIC
DOC #: JUL 14 2006
DATE FILED

SEALED
INDICTMENT

06 Cr.

COUNT ONE

06 CRIM. 0585

The Grand Jury charges:

1. From in or about September 2002, up to and including in or about January 2004, in the Southern District of New York and elsewhere, CHUCK ANDREWS, the defendant, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, did transmit and cause to be transmitted by means of wire communication in interstate and foreign commerce, writings, signs, signals, and sounds for the purpose of executing such scheme and artifice, to wit, the defendant, using interstate wire communications, offered to obtain loans for clients, represented that he had the capacity to obtain such loans, required clients to pay commitment fees prior to obtaining such loans, did not obtain the loans, and failed to refund the commitment fees.

(Title 18, United States Code, Sections 1343 and 2.)

FORFEITURE ALLEGATION

2. As the result of committing the offenses in violation of Title 18, United States Code, Section 1343, alleged in Count One of this Indictment, CHUCK ANDREWS, the defendant, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offense, including but not limited to, a sum of money representing the amount of proceeds obtained as a result of the said offenses.

Substitute Asset Provision

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C.

§ 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 1343 and Title 28, United States Code, Section 2461(c).)

Michael J. Garcia
FOREPERSON

Michael J. Garcia
MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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(18 U.S.C. § 1343)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL

Raoul C. Cato
Foreperson.

7/14/06 Filed Indictment. Under seal.

MC
A/W issued.

Pitonau
J. S.M.T.